

## **REMARKS**

This Amendment is responsive to the Office Action dated August 25, 2004.

Claims 1-18 are pending in the application. All of the claims are rejected under 35 U.S.C. 103(a) as being unpatentable over Applicant's admission in page 8 of the Remarks of the Amendment of August 9, 2004, and in the specification, that Fig. 3 is a conventional coupler, and/or Garza, Jr. U.S. Patent No. 5,480,353, in view of King et al. U.S. Patent No. 5,778,832. Additionally, the drawings are objected to and corrected drawings are indicated as being required, because the Examiner believes that fig. 3 should be labeled as PRIOR ART as Applicant pointed out that the coupler of that figure is a conventional coupler known in the art.

Addressing first the Examiner's objection to the drawings and requirement that corrected drawings be submitted, Applicant replies that it is believed that it would be improper and in error to label fig. 3 of the drawings of the present application as PRIOR ART, as that figure also contains an embodiment of Applicant's invention, namely, resiliently flexible mounting element 34, which has not been shown, and is not known by Applicant, to be prior art. Applicant therefore respectfully requests withdrawal of both the objection and requirement of submission of corrected drawings.

Addressing the claims, Applicant herein amends independent claims 1, 8, and 14, and dependent claims 3, 5 through 7, 10, 11, 13, 15, and 16, to be more patentably distinguishable over the cited prior art. Independent claim 18 and dependent claim 6 are cancelled.

Turning to the claims, amended independent claim 1 is directed to a drive for a cleaning fan supported by a frame member of an agricultural combine, the frame member including a mounting hole therein for the drive and the fan including an input rotatable about an axis therethrough, the mounting hole being located within a range of positions relative to the axis. Claim 1 requires the drive to include a motor including an output rotatable about an axis therethrough, the output being connectable in rotatably driving relation to the input of the fan when the input and the output are in axial end-to-end

relation; and a mounting element for mounting the motor to the frame member such that the output is in axial end-to-end relation to the input of the fan, the mounting element including a bracket mountable to the frame member by a fastener insertable into the mounting hole and fixable to the frame member, and

**an elongate, resiliently flexible elastomeric member having one end which connects to the bracket and another end that connects to the motor such that the resiliently flexible elastomeric member supports the motor, the flexible member having sufficient resiliently flexibility so as to accommodate the range of positions of the mounting hole relative to the axis of the input of the fan and to allow limited variations in relative angular orientation of the motor relative to the frame member for maintaining connection of the output of the motor in axially aligned relation to the input of the fan during rotation of the fan by the motor.**

Applicant respectfully asserts that this combination of features is not disclosed, taught and or suggested by the combination of the statements by Applicant that the coupler of figure 3 is a conventional coupler, and/or Garza, and King et al. cited against claim 1.

More particularly, Applicant's prior statements relied on by the Examiner state **only** that coupler 20 in figure 3 of the present application is conventional. Applicant did not state that the combination of elements as set forth in amended claim 1 is conventional. And, amended claim 1 does not claim a coupler. Additionally, nowhere in Garza or King et al. does Applicant find the claimed combination or even a suggestion of use of an elongate resiliently flexible elastomeric member supporting a motor, or the capability thereof to accommodate variations in mounting hole location. Garza does not mention allowing movement of the motor relative to the frame of that device. Instead, Garza discloses only a bracket 44 supporting the motor thereof, and only states that this is to prevent spinning of the motor. King et al. discloses only connection of a motor engine output to a fan input using a flexible coupler to accommodate slight misalignments between the connected shafts. This is not the same as supporting a motor and providing resiliently flexibility to allow limited variations in relative angular orientation of the motor relative to the frame member for maintaining connection of the output of the motor in axially aligned relation to the input of the fan, as claimed. And, Applicant respectfully

asserts that this teaches away from allowing movement of the motor to maintain connection of the output of the motor in axially aligned relation to the input of the fan during rotation of the fan by the motor, as claimed. Thus, it appears to Applicant that combining these references would only disclose or teach a motor supported by a bracket, and use of a flexible coupler connecting the motor output to a fan input, to thereby accommodate slight shaft misalignments.

For the foregoing reasons, Applicant respectfully asserts that all of the elements of amended claim 1 are not disclosed or even contemplated by the cited combination of references, and therefore amended claim 1 is believed to be patentably distinguishable over the cited prior art and allowable.

Claims 2 through 5 and 7 depend from amended claim 1 and add still further limitations thereto. For instance, claim 3 requires the resiliently flexible member to have an elongate shape and extend longitudinally generally horizontally between the bracket and the motor. This is not disclosed by the cited combination. Claim 4 requires the mounting element to allow some limited movement between the motor and the frame member. Claim 5 requires the frame member to comprise a self-leveling frame member supported on the combine for pivotal movement relative thereto, and the mounting element when supporting the motor will allow movement of the motor relative to the frame member during the pivotal movement while maintaining the output of the motor in substantially axially aligned relation to the input of the fan. These features are also not disclosed by the cited combination. Claim 7 requires the motor to comprise a fluid motor, and the resiliently flexible member connects to a flange of the motor with a single fastener. This is also not disclosed by the cited combination. Accordingly, these claims, in combination with base claim 1, are believed to be patentably distinguishable over the cited combination and allowable.

Amended independent claim 8 is directed to a drive for a cleaning fan supported by a frame member of an agricultural combine, requiring a motor including an output

rotatable about a first axis therethrough, the output being connected in rotatably driving relation to an input of a cleaning fan rotatable about a second axis therethrough; and  
a mounting element mounting the motor to the frame member, the mounting element including a bracket connected to the frame member, the bracket including a dependent leg which extends downwardly from the frame member, and

**an elongate, resiliently flexible member having a first longitudinal end connected to the leg of the bracket such that the flexible member extends longitudinally horizontally therefrom, the resiliently flexible member having an opposite longitudinal end connected to the motor, the resiliently flexible member preventing rotation of the motor about the axes relative to the frame member while supporting and holding the motor such that the first axis will be substantially aligned with the second axis, the resilient flexibility of the mounting element allowing a limited amount of relative axial and angular movement of the motor relative to the frame member.**

Applicant respectfully asserts that this combination of features is not disclosed, taught and or suggested by the combination of the statements by Applicant that the coupler of figure 3 is a conventional coupler, and/or Garza, and King et al. for many of the same reasons et forth above in regard to claim 1 and incorporated herein by reference.

Additionally, Applicant respectfully asserts that the recited combination of references does not disclose or suggest the use of an elongate resiliently flexible member which extends horizontally from a dependent leg of a bracket to connection with a motor for supporting the motor and achieving the functional capabilities claimed. Amended claim 8 is therefore believed to be patentably distinguishable over the cited prior art and allowable.

Claims 9 through 13 depend from amended claim 8 and add still further limitations thereto. For instance, claim 10 requires the motor to comprise a fluid motor and the resiliently flexible member to connect to a flange of the motor with a single fastener. This is not disclosed in the cited combination. Claim 12 requires the horizontally extending resiliently flexible element to support the motor in cantilever relation to the frame member. This is also not disclosed in the cited prior art. Claim 13 requires the resiliently flexible member to comprise an elastomeric material. As noted

above, this is not disclosed in the cited prior art. Accordingly, these claims, in combination with amended base claim 8, are believed to be patentably distinguishable over the cited prior art and allowable.

Amended claim 14 is directed to a cleaning fan assembly for a cleaning system of an agricultural combine requiring a fan shaft supported by a structural element of the cleaning system for rotation about a first longitudinal axis through the fan shaft, and a drive including a motor having a rotatable output shaft connected in end-to-end axially aligned rotatably driving relation to the fan shaft, wherein

**the drive is flexibly mounted to the structural element solely by an elastomeric member which is constructed and oriented so as to allow some limited movement of the drive relative to the structural member while maintaining the axially aligned rotatably driving relation to the fan shaft.**

Applicant respectfully asserts that this combination of features is not disclosed, taught and or suggested by the combination of the statements by Applicant that the coupler of figure 3 is a conventional coupler, and/or Garza, and King et al. for many of the same reasons et forth above in regard to claims 1 and 8 and incorporated herein by reference. Again, the cited combination of references does not disclose any apparatus for resiliently flexibly mounting a motor, and Applicant asserts that King et al., by virtue of using a flexible coupler to accommodate shaft misalignment, teaches away from mounting a motor whereby movement of the motor relative to the supporting structural member is allowed, while axial alignment between the driving and driven shafts is maintained. Amended claim 14 is therefore believed to be patentably distinguishable over the cited prior art and allowable.

Claims 15 through 17 depend from amended claim 14 and add further limitations thereto. Claim 15 again requires the motor to comprise a fluid motor, and the resiliently flexible member to connect to a flange of the motor with a single fastener. Claim 16 requires the elastomeric member to have an elongate shape and extend longitudinally **generally horizontally** between the structural element and the motor transversely to the

axially aligned shafts. Claim 17 requires the **elastomeric** member supports the motor in cantilever relation to the structural element. These features, in combination with the features of amended base claim 14 are not disclosed in the cited prior art. Accordingly, these claims, in combination with amended base claim 8, are believed to be patentably distinguishable over the cited prior art and allowable.

It is now believed that all of the claims in the present application, namely, claims 1-5 and 7-17, contain limitations which patentably distinguish them over the cited prior art. None of the prior art of record discloses a cleaning fan including a drive which can be flexibly mounted to a support structure or frame, for the functional advantages and purposes set forth in the claims and present specification. Therefore, favorable action and allowance of all of the claims is respectfully requested.

The expiration of the three month period for responding to the Office Action is November 25, 2004, which is Thanksgiving Day, an official holiday. The period for response is therefore believed to be extended to at least the next day, Friday November 26, 2004. No fee is believed to be due with submission of the present Amendment. The Commissioner is hereby authorized to charge any fee due, credit, or deficiency to Deposit Account No. 08-1280.

If the Examiner has any further requirements or suggestions for placing the present claims in condition for allowance, Applicant's undersigned attorney would appreciate a telephone call at the number listed below.

Respectfully submitted,

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